

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	19-Cr-913 (SHS)
 -against-	:	<u>ORDER</u>
 MARTIN ROSS,	:	
 Defendant.	:	

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SIDNEY H. STEIN, U.S. District Judge.

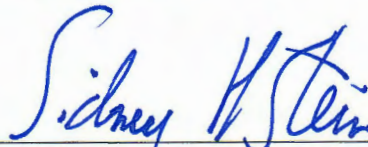
On January 23, 2025, this Court directed defendant to sign and return an attorney-client privilege waiver within 14 days of being served with the Order if he wished to proceed with his 28 U.S.C. § 2255 motion. The Court noted in that Order that in light of the fact that defendant's sentence of imprisonment had been commuted by the President and he has also been released from imprisonment, he may no longer wish to prosecute his § 2255 claim. Having received no response from defendant to the Court's June 23 Order, the Court on April 29 directed defendant to sign and return the waiver by May 28, 2025, if he wished to proceed with his motion. The Court also directed that "If the Court does not receive a signed waiver from Ross on or before May 28, 2025, it will dismiss Ross's § 2255 motion for failure to prosecute. *See* Fed. R. Civ. P. 41(b)."

As of today, the Court has not received Ross's signed waiver. Accordingly,

IT IS HEREBY ORDERED that this action is dismissed for failure to prosecute. *See* Fed. R. Civ. P. 41(b). The Clerk of Court is directed to send a copy of this Order to defendant Martin Ross, 400 East 30th Street, New York, New York 10016.

Dated: New York, New York
June 9, 2025

SO ORDERED:



Sidney H. Stein, U.S.D.J.